

To the Members of the California State Senate:

I am returning Senate Bill 8 without my signature.

The California Bay-Delta Authority (CBDA) and various State and federal implementing agencies carry out programs, projects and activities necessary to implement the CALFED Bay-Delta Program (Program). This bill would add environmental justice as a new program element of the Program and require the Program implementing agencies, both individually and collectively, to implement the environmental justice program element.

The Record of Decision (ROD), which defines the Program, establishes certain program elements grouped into categories necessary to address four identified problem areas; ecosystem quality, water quality, water supply reliability, and levee system integrity. The ROD does not include environmental justice as a program element but, instead, expressly identifies environmental justice as an implementation commitment across all program areas. Federal law, similar to state law, requires federal agencies to work with state agencies to develop a comprehensive environmental justice work plan in order to fulfill the commitment to address challenges identified within the context of Program implementation in the original environmental justice work plan written in 2000.

I believe that federal and state environmental justice law and policy are sufficiently general, yet inclusive enough, to permit each agency to adopt and implement locally appropriate policies and procedures without devoting an entire new program element to the process. My administration will continue to work with environmental and community organizations to address environmental justice issues in the public forums that have been established for that purpose.

Sincerely,

Arnold Schwarzenegger